## BEFORE THE DIVISION OF OIL, GAS AND MINING DEPARTMENT OF NATURAL RESOURCES STATE OF UTAH

---00000---

IN THE MATTER OF CYPRUS PLATEAU MINING COMPANY PROPOSED WILLOW CREEK MINE, CARBON COUNTY, UTAH **PUBLIC HEARING** 

CAUSE NO. PRO/007/038

---00000---

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE-ENTITLED MATTER.

Notice is hereby given that the Division of Oil, Gas and Mining ("Division"), State of Utah, will conduct a Public Hearing on Thursday, May 11, 1995, at 3:00 p.m. in the Carbon County Courthouse, Carbon County Commission Chambers, 120 East Main, Price, Utah.

The Public Hearing will be conducted in accordance with the Utah Code Ann. § 40-10-24(4)(c), and Utah Administrative Code Rule R645-103-234 (1995).

Pursuant to Utah Code Ann. § 40-10-24(4)(c), Cyprus Plateau Mining ("Cyprus") has requested a public hearing regarding their plan to conduct coal mining operations within 100 feet, measured horizontally, of the outside right-of-way line of a public road, Highway 191, in Willow Creek Canyon, Carbon County, Utah.

Persons interested in this matter may participate pursuant to Utah Administrative Code Rule R645-103-234. The request for public hearing, and any subsequent information, may be inspected in the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Janice Brown at 538-5340, at least three working days prior to the hearing date.

Page 2
Public Hearing
Cause No. PRO/007/038

DATED this \_\_\_\_\_ day of April, 1995.

STATE OF UTAH DIVISION OF OIL, GAS AND MINING

James W. Carter

Director

355 West North Temple 3 Triad Center, Suite 350 Salt Lake City, Utah 84180-1203 (801) 538-5340



Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

Michael O. Leavitt

355 West North Temple 3 Triad Center, Suite 350 Salt Lake City, Utah 84180-1203 801-538-5340 801-359-3940 (Fax) 801-538-5319 (TDD)

April 17, 1995

Sun Advocate
Emery County Progress
76 West Main
P. O. Box 870
Price, Utah 84501

Gentlemen:

Re: Notice of Public Hearing

Attached is a notice of Public Hearing from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published ONCE ONLY as soon as possible, but no later than Thursday the 27th day of April, 1995, in both the Sun Advocate and Emery County Progress. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,

Victoria A. Bailey Executive Secretary

vb Attachment





Public Morring Sile HeT/007/038

Michael O. Leavitt Governor Ted Stewart Executive Director James W. Carter Division Director 355 West North Temple 3 Triad Center, Suite 350 Salt Lake City, Utah 84180-1203 801-538-5340 801-359-3940 (Fax) 801-538-5319 (TDD)

April 17, 1995

Newspaper Agency Corporation Legal Advertising 143 South Main P. O. Box 45838 Salt Lake City, Utah 84145

Gentlemen:

Re: Notice of Public Hearing

Attached is a notice of Public Hearing from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published ONCE ONLY as soon as possible, but no later than Wednesday, the 26th day of April, 1995. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,

Victoria A. Bailey

**Executive Secretary** 

vb Attachment



## CYPRUS PLATEAU MINING COMPANY WILLOW CREEK MINE PRO/007/038 (4-17-95)

#### PUBLICATION OF NOTICE:

Newspaper Agency Corporation Sun Advocate Emery County Progress

Salt Lake City Office - Posted Price Field Office - Posted Carbon County Courthouse - Posted

#### CERTIFIED NOTICES SENT TO THE FOLLOWING:

Ben Grimes Certified Return Receipt P 074 977 558
Cyprus Plateau Mining Company
P. O. Drawer PMC
Price, Utah 84501

#### NOTICES MAILED TO THE FOLLOWING:

THOMAS E EHMETT ACTING DIR ALBUQUERQUE FIELD OFFICE OFFICE OF SURFACE MINING R & E 505 MARQUETTE NW STE 1200 ALBUQUERQUE NM 87102

RICHARD E DAWES CHIEF DIV OF FEDERAL PRGMS OFFICE OF SURFACE MINING 1999 BROADWAY STE 3320 DENVER CO 80202-5733

MARK BAILEY AREA MNGR
PRICE RIVER RESOURCE AREA
BUREAU OF LAND MNGMNT
P O BOX AB
PRICE UT 84501

ALAN RABINOFF CHIEF
MINING LAW 7 SOLID MNRLS
BUREAU OF LAND MNGMNT
P O BOX 45155
SALT LAKE CITY UT 84145-0155

ROBERT D WILLIAMS ASST FLD SUP
U S FISH & WILDLIFE SERV
ECO SERV
LINCOLN PLAZA
145 E 1300 S STE 404
SALT LAKE CITY UT 84115

AARON HOWE ACTING FRST SUP U S FOREST SERV MANTI-LASAL NTNL FRST 599 W PRICE RIVER RD PRICE UT 84501

ROBERT MORGAN STATE ENGR UTAH DIV OF WATER RIGHTS DEPT OF NATURAL RESOURCES CAPITOL MAIL

BRENT BRADFORD DPTY DIR OFFICE OF THE EX DIR DEPT OF ENVIR QULTY CAPITOL MAIL

ROBERT VALENTINE DIR UTAH DIV OF WILDLIFE RESOURCES GENWAL RESOURCES INC CAPITOL MAIL

MAX J EVANS DIR UTAH DIV OF STATE HISTORY CAPITOL MAIL

SCOTT HIRSCHI DIR SCOOL & INSTNL TRUST LNDS ADM OFFICE CAPITOL MAIL

BILL HOWELL EX DIR SOUTHEASTERN UTAH ASSOC OF LOCAL GVRNMNTS P O BOX 297 PRICE UT 84501

DAVID LEVANGER CARBON CNTY PLNNG & ZNG 120 E MAIN PRICE UT 84501

BRYANT ANDERSON EMERY CNTY PLNNG & ZONING P O BOX 297 CASTLE DALE UT 84513

RONALD P PARKIN STATE MINE INSPECTOR INDUSTRIAL COMM OF UT COLLEGE OF EASTERN UT 451 E 400 N PRICE UT 84501

ALEX JORDAN UTAH MINING ASSOC KEARNS BLDG 136 S MAIN STE 825 SALT LAKE CITY UT 84101 RANDOLPH GAINER ENVR CHR P O BOX 1420 **HUNTINGTON UT 84528** 

CAROLYN B WRIGHT RESEARCH OFFICE OF PLANNING & BUTGET STATE PLANNING COORDINATOR CAPITOL MAIL

MIKE SCHWINN DST ENGR U S ARMY CORPS OF ENGINEERS 1403 S 600 W BOUNTIFUL UT 84010

GARY L ROEDER DISTRICT CONSERVATIONIST U S SOIL CONSERVATION SERVICE 350 N 400 E PRICE UT 84501

WILLIAM P YELLOWTAIL JR REGIONAL ADMINISTRATOR ENVIRONMENTAL PROTECTION AGENCY 999 18TH ST DENVER PL STE 500 DENVER CO 80202-2405

TED STEWART EX DIR DEPARTMENT OF NATURAL RESOURCES BUILDING MAIL

DEPT OF TRANSPORTATION PRICE DISTRICT ROUTE 3 BOX 75C5 PRICE UT 84501-0903

DAVE D. LAURISKI CHAIRMAN 2115 E HUNTERS GLEN LAYTON UT 840414

### CYPRUS PLATEAU MINING COMPANY WILLOW CREEK MINE PRO/007/038

#### PUBLICATION OF NOTICE:

Newspaper Agency Corporation Sun Advocate Emery County Progress

Salt Lake City Office - Posted Price Field Office - Posted Carbon County Courthouse - Posted

CERTIFIED NOTICES SENT TO THE FOLLOWING:

Ben Grimes Cyprus Plateau Mining Company P. O. Drawer PMC Price, Utah 84501 CERTIFIED NO. P. 674 977 558

NOTICES MAILED TO THE FOLLOWING:

THOMAS E EHMETT ACTING DIR
ALBUQUERQUE FIELD OFFICE
OFFICE OF SURFACE MINING R & E
505 MARQUETTE NW STE 1200
ALBUQUERQUE NM 87102

RICHARD E DAWES CHIEF DIV OF FEDERAL PRGMS OFFICE OF SURFACE MINING 1999 BROADWAY STE 3320 DENVER CO 80202-5733

MARK BAILEY AREA MNGR
PRICE RIVER RESOURCE AREA
BUREAU OF LAND MNGMNT
P O BOX AB
PRICE UT 84501

ALAN RABINOFF CHIEF MINING LAW 7 SOLID MNRLS BUREAU OF LAND MNGMNT P O BOX 45155 SALT LAKE CITY UT 84145-0155 ROBERT D WILLIAMS ASST FLD SUP
U S FISH & WILDLIFE SERV
ECO SERV
LINCOLN PLAZA
145 E 1300 S STE 404
SALT LAKE CITY UT 84115

AARON HOWE ACTING FRST SUP U S FOREST SERV MANTI-LASAL NTNL FRST 599 W PRICE RIVER RD PRICE UT 84501

ROBERT MORGAN STATE ENGR UTAH DIV OF WATER RIGHTS DEPT OF NATURAL RESOURCES CAPITOL MAIL

BRENT BRADFORD DPTY DIR OFFICE OF THE EX DIR DEPT OF ENVIR QULTY CAPITOL MAIL

ROBERT VALENTINE DIR UTAH DIV OF WILDLIFE RESOURCES CAPITOL MAIL 074 977 558

EIPT FOR CERTIFIED MAIL

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P.O., State and ZIP Code PRICE UT 84501		ACT/007/038
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in the space below

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3 THIAD CENTER.

NATURAL RE OIL, GAS, &

STATE OF

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PS Form 3811, Mar. 1988 × o **×** 50 PO DRAWER PMC card from being returned to you. The return receipt to and the date of delivery. For additional fees the for fees and check box(es) for additional servicets 1. Show to whom delivered, date, and address 1. Date of Delivery Signature PRICE Signature Article Addressed to: CYPRUS PLATEAU MINING BEN GRIMES UT 84501 1-95 and addressee's address. œ Certified

Express f or agent and DATE DELIVERED. Article Number Always obtain signature of addressee Type of Service: Addressee's Address (ONLY if Express Mail Registered requested and fee paid) 'n Restricted Delivery (Extra charge) ☐ COD ☐ Return Receipt for Merchandise Insured

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estricted to the addressee, or to an authorized agent of the addressec, endorse Joes for this sources requested in the appropriate spaces on the front of this receipt. If return impressed, check the applicable blocks in item 1 of Form 3811. CTED DELIVERY on the front of the article.

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DAVID LEVANGER
CARBON CNTY PLNNG & ZNG
120 E MAIN
PRICE UT 84501

BRYANT ANDERSON
EMERY CNTY PLNNG & ZONING
P O BOX 297
CASTLE DALE UT 84513

RONALD P PARKIN STATE MINE INSPECTOR INDUSTRIAL COMM OF UT COLLEGE OF EASTERN UT 451 E 400 N PRICE UT 84501 CAROLYN B WRIGHT RESEARCH ANALYST OFFICE OF PLANNING & BUTGET STATE PLANNING COORDINATOR OFFICE CAPITOL MAIL

MIKE SCHWINN DST ENGR U S ARMY CORPS OF ENGINEERS 1403 S 600 W BOUNTIFUL UT 84010

GARY L ROEDER
DISTRICT CONSERVATIONIST
U S SOIL CONSERVATION SERVICE
350 N 400 E
PRICE UT 84501

WILLIAM P YELLOWTAIL JR REGIONAL ADMINISTRATOR ENVIRONMENTAL PROTECTION AGENCY 999 18TH ST DENVER PL STE 500 DENVER CO 80202-2405

TED STEWART EX DIR DEPARTMENT OF NATURAL RESOURCES BUILDING MAIL

DEPT OF TRANSPORTATION PRICE DISTRICT ROUTE 3 BOX 75C5 PRICE UT 84501-0903

DAVE D. LAURISKI CHAIRMAN 2115 E HUNTERS GLEN LAYTON UT 840414





Post-it" Fax Note 7671	Date 4 5 Gr pages 2		
To Pam LITTIG	From BEN GRIMES		
Co./Dept.	Co.		
Phone #	Phone # 636-2227		
Fax #	Fax #		

April 4, 1995

Utah Coal Regulatory Program
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203

Dear Ms. Littig,

By Facsimile

RE:

PUBLIC HEARING REQUEST - R645-103-234, PUBLIC ROADI

FOR PROPOSED WILLOW CREEK MINE

This letter is a request to the Division to call a hearing to comply with R645-103-234. This regulation requires approval for conducting mining operations within 100 feet measured horizontally of the outside right-of-way line of a public road. The exception [40-10-24(4)(c)] provided in the aforementioned regulation states:

- (4) After August 3, 1977, and subject to valid existing rights, no surface coal mining operations, except those which exist on that date, shall be permitted:
- (c) Within 100 feet of the outside right-of-way line of any public road, except where mine access roads or haulage roads join this right-of-way line and except that the division may permit these roads to be relocated or the area affected to lie within 100 feet of the road, if after public notice and opportunity for public hearing in the locality a written finding is made that the interests of the public and the landowners affected thereby will be protected; or

Cyprus Plateau Mining Company is planning to conduct coal mining operations within 100 feet of the outside right-of-way line of Highway 191 in Willow Creek Canyon consisting of a Willow Creek Stream relocation section approximately 270 feet long, a Willow Creek Stream relocation section approximately 450 feet long, an office trailer building, and a section of mine access road approximately 750 feet long. In addition, three access roads joining the highway are planned, two for mine access and one ancillary road for access to mine water storage tanks.

1

Ben Grimes Page 2 April 4, 1995

We request the hearing be held in Price as soon as practicable but, before May 15, 1995. After the hearing, the Division will make findings as per R645-103-234.400.

I have been discussing the new mine project with personnel from the UDOT office in Price for the past year. According to R645-103234.100 the applicant (Cyprus) is required "--- to obtain necessary approvals from the authority with the jurisdiction over the public road." Driveway applications will be submitted to UDOT in the near future to cover the entrances to the mine site. These driveway permits will constitute the necessary UDOT approvals.

Please let me know as soon as possible what maps or plans are needed for the hearing.

Respectfully,

Ben Grimes Project Manager

cc: J. Borla

G. Walker

File: WCENG 12.14 Chron: BG950403

#### 143 SOUTH MAIN ST. P.O. BOX 45838 SALT LAKE CITY, UTAH 84145 FED. TAX I.D. # 87-0217663

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DIV OF OIL, GAS & MINING

355 WEST NORTH TEMPLE

3 TRIAD CENTER #350

SLC,

UT 84180

	DIV OF OIL,	GAS & MINING	
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NOTICE OF HEARING CAUSE NO. PEO/007/038  BEFORE THE DIVISION OF OIL GAS AND MINING DEPARTMENT OF NATURAL RESOURCES, STATE OF UTAH  IN THE MATTER OF CYPRUS PLATEAU MINING COMPANY PRO- POSED WILLOW CREEK MINE, CARBON COUNTY, UTAH.  THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE ENTITLED MATTER.  Notice is hereby given that the Board of Oil, Gas and Min- ing ("Division"), State of Utah, will conduct a Public Heating Thursday, May 14, 1995, of 3:00 p.m., in the Carbon County Courthouse, Carbon County Commission Chambers, 120 East	NOTICE OF H	APTION EARINGCAUSE NO. PRO SIZE	
The Public Hearing will be conducted in accordance with Litiah Code Ann. ss 40-10-24(4)(c), and Utah Administrative Code		RATE	
Rule R645-103-234 (1995).  Pursuant to Utch Code Ann. ss 40-10-24(4)(c), Cyprus Plateau Mining ("Cypris") has requested a public hearing regarding their plan to conduct coal mining operations within 400 feet, measured horizontally, of the outside right-of-way line of a public road, Highway 191, in Willow Creek Canyon, Carbon County, Utch.	RGES	1.64 AD CHARGES	
Persons interested in this matter may participate pursuant to Utah Administrative Code Rule R645-103-234. The request for public hearing, and any subsequent information, may be inspected in the office of the undersigned.	<del></del>	164.00 TOTAL COST	
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	DATE 04/26/95		<del>-                                    </del>	<del></del>		April 9, 1999 STATE OF UTAH
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	355 West North Temple 3 Triad Center, Suite 350 Salt Lake City, Utah 84180-1203	GAS & MINING	}	WAS PUBLIS	HED BY THE N	EWSPAPER AGENCY
	/s/ James W. Carter Director 355 West North Temple			SE NO. PRO	T CHRILL'S SE	FOR
ŀ	DIV. OF OIL, GAS AND MINING	CORPORATION	T.ECAT.	BOOKKEEPER,	I CERTIFY TH	AT THE ATTACHED
DAILE MA DAIL GO,	STATE OF UTAH					
DATED this 17th day		AFFIDAV	IT OF	PUBLICATION	N	
uliting auxiliary communities to participate in this	nicative aids and services to enable hearing, should call Janice L. Brown at orking days prior to the hearing date.	l	······································	104.00	<u>,                                      </u>	
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143 SOUTH MAIN ST. P.O. BOX 45838 SALT LAKE CITY, UTAH 84145 FED. TAX I.D. # 87-0217663

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#### BEFORE THE DIVISION OF OIL, GAS AND MINING DEPARTMENT OF NATURAL RESOURCES STATE OF UTAH

---00000---

IN THE MATTER OF AMAX COAL COMPANY, CASTLE GATE MINE, CARBON COUNTY UTAH NOTICE OF PUBLIC HEARING

CAUSE NO. ACT/007/004-95B

---00000---

THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE-ENTITLED MATTER.

Notice is hereby given that the Division of Oil, Gas and Mining will conduct a Public Hearing on Thursday, May 11, 1995, at 3:00 p.m. in the Carbon County Courthouse, Carbon County Commission Chambers, 120 East Main, Price, Utah. This Notice is supplemental to Cause No. PRO/007/038, Cyprus Plateau Mining Company's proposed Willow Creek Mine.

The Public Hearing will be conducted in accordance with the Utah Code Ann. § 40-10-24(4)(c), and Utah Administrative Code Rule R. 645-103-234 (1995).

Pursuant to Utah Code Ann. § 40-10-24(4)(c), Amax Coal Company has requested a public hearing regarding their plan to conduct coal mining operations within 100 feet, measured horizontally, of the outside right-of-way line of a public road, Highway 191, in Willow Creek Canyon, Carbon County, Utah. This hearing will be held simultaneously with the Willow Creek Public Hearing, notice of April 17, 1995.

Persons interested in this matter may participate pursuant to Utah Administrative Code Rule R. 645-103-234. The request for public hearing, and any subsequent information, may be inspected in the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Janice Brown at 538-5340, at least three working days prior to the hearing date.

DATED the  $\frac{274}{1}$  day of April, 1995.

STATE OF UTAH DIVISION OF OIL, GAS AND MINING

James W. Carter

Director



Michael O. Leavitt
Governor
Ted Stewart
Executive Director
James W. Carter
Division Director

355 West North Temple 3 Triad Center, Suite 350 Salt Lake City, Utah 84180-1203 801-538-5340 801-359-3940 (Fax) 801-538-5319 (TDD)

April 28, 1995

Sun Advocate
Emery County Progress
76 West Main
P. O. Box 870
Price, Utah 84501

Re: Notice of Public Hearing

Attached is a notice of Public Hearing from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published ONCE ONLY as soon as possible, but no later than Thursday the 4th day of May, 1995, in both the Sun Advocate and Emery County Progress. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,

Victoria A. Bailey

**Executive Secretary** 

vb Attachment





Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple 3 Triad Center, Suite 350 Salt Lake City, Utah 84180-1203 801-538-5340 801-359-3940 (Fax) 801-538-5319 (TDD)

April 28, 1995

Newspaper Agency Corporation Legal Advertising 143 South Main P. O. Box 45838 Salt Lake City, Utah 84145

Re: Notice of Public Hearing

Attached is a notice of Public Hearing from the Division of Oil, Gas and Mining, Department of Natural Resources, State of Utah.

It is requested that this notice be published ONCE ONLY as soon as possible, but no later than <u>Wednesday</u>, the 3rd day of May, 1995. In the event that said notice cannot be published by this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely.

Victoria A. Bailey

**Executive Secretary** 

vb Attachment



#### BEFORE THE DIVISION OF OIL. GAS AND MINING DEPARTMENT OF NATURAL RESOURCES STATE OF UTAH

#### ---00000---

IN THE MATTER OF CYPRUS

**FINDINGS** 

PLATEAU MINING COMPANY,

CAUSE NO. PRO/007/038

PROPOSED WILLOW CREEK MINE, AND AMAX COAL COMPANY,

CAUSE NO. ACT/007/004-95B

CASTLE GATE MINE, CARBON

COUNTY, UTAH

---00000---

On May 11, 1995, a public hearing was held before Lowell P. Braxton, Division of Oil, Gas and Mining, Department of Natural Resources, in accordance with Utah Admin. R. 645-103-234 and Utah Code Ann. § 40-10-24(4)(c) at the Carbon County Courthouse, Price, Utah.

The hearing was requested by Cyprus Plateau Mining Company and AMAX Coal Company to seek public comment in the matter of conducting mining operations within 100 feet of the outside right-of-way of Highway 191 in Willow Creek Canyon, as documented in permit applications designated PRO/007/038 and ACT/007/004-95B. respectively.

Notice of the public hearing was appropriately given and a stenographic record was made by a registered professional reporter.

The hearing commenced at 3:00 p.m. and concluded at 4:02 p.m.

No comments regarding conduct of mining within 100 feet of Highway 191 were made at the hearing.

Based on appropriate notice and lack of adverse public comment, the Division finds that the interests of the public and affected landowners will be protected from the mining activities proposed to take place within 100 feet of the outside right-of-way of Highway 191.

DATED this 6th day of July, 1995.

STATE OF UTAH DIVISION OF OIL, GAS AND MINING

Lowell P. Braxton

Associate Director, Mining

ceporhas

# BEFORE THE BOARD OF OIL, GAS AND MINING DEPARTMENT OF NATURAL RESOURCES IN AND FOR THE STATE OF UTAH

IN THE MATTER OF CYPRUS
PLATEAU MINING COMPANY PROPOSED
WILLOW CREEK MINE, CARBON
COUNTY, UTAH

CAUSE NO. PRO/007/038

THURSDAY, MAY 11, 1995, COMMENCING AT THE HOUR OF 3:00
P.M., A PUBLIC HEARING WAS HELD IN THE ABOVE MATTER BEFORE
LOWELL P. BRAXTON, DEPARTMENT OF NATURAL RESOURCES,
DIVISION OF OIL, GAS, AND MINING, AT THE CARBON COUNTY
COURTHOUSE, PRICE, UTAH.

INTERMOUNTAIN COURT REPORTERS
5980 South Fashion Blvd.
Murray, Utah 84107
801 263-1396

FILE NO. 51195

REPORTED BY: DANA M. MORSE, CSR, RPR ORIGINAL

APPEARANCES: FOR THE DIVISION OF LOWELL P. BRAXTON Department of Natural Resources OIL, GAS & MINING: Division of Oil, Gas and Mining 3 Triad Center, Suite 350 Salt Lake City, Utah 84180-1203 

PRICE, UTAH, THURSDAY, MAY 11, 1995, 3:00 P.M.

#### PROCEEDINGS

MR. BRAXTON: This is a public hearing that addresses two causes. The first is Cause No.

ACT/007/004-95B. This is in the matter of Amax Coal Company, Castle Gate Mine, Carbon County, Utah.

The opportunity here is for public comment, and we are accepting public comment in response to Amax Coal Company's request for a public hearing to address their plan to conduct coal mining operations within 100 feet measured horizontally of the outside right-of-way line of a public road. The road in this case is Highway 191 in Willow Creek Canyon, Carbon County, Utah.

We are also holding a hearing under Cause No.

PRO/007/038. The issue is identical to the one that I
just noticed. We're going to accept public comments
again on Cyprus Plateau Mining Company's request for a
public hearing. The issue again is their intent to
conduct coal mining operations within 100 feet measured
horizontally of the outside right-of-way line of a
public road. This is again Highway 191 in Willow Creek
Canyon, Carbon County, Utah.

What I would ask is that any of you that have comments state your name, your address and your affiliation for the record, and then read the comments

or give your comments to us. Is there anybody that 1 2 would like to offer to go first? Thank you. 3 MR. GRIMES: No. I'm just making a record of the 4 whole project. MR. BRAXTON: So we have an audience but nobody that 5 wishes to provide comment. I think what we want to do 6 7 then is go off the record for the moment and I will keep this public hearing open until 4 o'clock and if there 8 9 are no comments before 4 o'clock we will close the 10 hearing. I want to thank everybody for coming and we'll 11 just go off the record at this time. 12 (Whereupon a recess was taken.) MR. BRAXTON: It's now 4 o'clock on 5-11-95, an 13 14 opportunity for public comment has been given. 15 were approximately eight persons attending the hearing, none of them wished to comment and so at that juncture 16 -- or at this juncture I'm going to close the hearing. 17 18 (Whereupon the hearing was concluded at 4:02 pm.) 19 20 21 22 23 24 25

1	STATE OF UTAH ) ) ss.
2	COUNTY OF SALT LAKE )
3	I, DANA MARIE MORSE, a Certified Shorthand Reporter,
4	Registered Professional Reporter, and Notary Public within and for the county of Salt Lake, State of Utah do
5	hereby certify:
6 7	That the above hearing was taken before me pursuant to notice at the time and place therein set forth.
8	That all objections made and all proceedings had at the time of the hearing were recorded stenographically
9	by me and were thereafter transcribed, and I hereby certify that the foregoing transcript is a full, true,
10	and correct record of my stenographic notes so taken;
11	I further certify that I am neither counsel for or related to any party to said action in anywise interested in the outcome thereof.
12	
L3	IN WITNESS WHEREOF, I have subscribed my name this 12th day of May 1995.
L4	Mari Wala
15	DANA MARIE MORSE  Certified Shorthand Reporter,
16	Registered Professional Reporter, and Notary Public in and for the
<b>L</b> 7	County of Salt Lake, State of Utah.
L8	My Commission Expires: June 13, 1998  Notary Public
L9	DANA M. MORSE 2690 East 2100 South Salt Late City, Utah 84100
20	June 13, 1906 State of Utah
21	
22	

